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DEC 06 2004

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**Fax Transmission** | December 6, 2004

TO: Commissioner for  
Patents  
Attn: Examiner David J. Venci  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: John J. Gresens

OUR REF: 09997.0019US11  
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Total pages, including cover letter: 4


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Title of Document Transmitted:  
Applicant: Michel Kohl  
Serial No.: 09/915211  
Filed: 07/25/2001  
Group Art Unit: 1641  
Our Ref. No.: 09997.0019US11

Response: Extension of Time

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Lisa R. Hill

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S/N 09/915211

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Michel Kohl	Examiner:	David J. Venci
Serial No.:	09/915211	Group Art Unit:	1641
Filed:	July 25, 2001	Docket No.:	09997.0019US11
Title:	CONJUGATES OF HAPTENS TO BETA-LACTAM DERIVATIVES AND THEIR USE FOR DETECTING AND/OR QUANTIFYING HAPTENS IN SOLUTION AND DEVICE FOR		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on December 6, 2004.

By:   
Name: Lisa R. HillResponse

Mail Stop Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Office Action mailed October 6, 2004, Applicants provide the following comments. The Examiner has requested restriction of examination to one of three groups. Group I comprises claims 1-10 drawn to a conjugate, classified in class 436, subclass 543. Group II comprises claims 11-27 drawn to a method, classified in class 435, subclass 7.1. Group III comprises claims 28-29 drawn to a kit, classified in class 435, subclass 975

Applicants respectfully elect Group II, comprising claims 1 and 11-27 drawn to a method, with traverse. The Applicants do not necessarily wish to be bound by the Examiner's logic in posing the request for restriction of examination.

Further, the Examiner has also requested election of species identified on pages 3 and 4 of the Action.

Again, given Applicant's election of group (II), Applicant elects a detection kit from group A which is directed to claim 17. Applicant elects a reporter substrate from group B which is directed to claim 18. Applicant elects a substance from group C which is directed to claim 22.


Again, Applicants do not necessarily wish to be bound by the Examiner's logic in requesting election of species.

Favorable consideration of all claims pending herein is respectfully requested.

Respectfully submitted,

MERCHANT & GOULD P.C.  
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Minneapolis, Minnesota 55402-0903  
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Date: December 6, 2004

  
John L. Bresens  
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